United Nations S/RES/2173 (2014)

Security Council

Distr.: General
27 August 2014

Resolution 2173 (2014)

Adopted by the Security Council at its 7250th meeting, on 27 August 2014

The Security Council,

Reaffirming all its previous resolutions and presidential statements concerning the situation in Sudan and *underlining* the importance of full compliance with these,

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of Sudan and its determination to work with the Government of Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in Sudan,

Recalling the importance of the principles of the peaceful settlement of international disputes, good neighbourliness, non-interference and cooperation in the relations among States in the region,

Reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality and non-use of force, except in self-defence and defence of the mandate, and *recognizing* that the mandate of each peacekeeping mission is specific to the country concerned,

Reaffirming its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, and 1502 (2003) on the protection of humanitarian and United Nations personnel; resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), and 2143 (2014) on children and armed conflict; resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013) on women, peace, and security, and resolution 2086 (2013) on United Nations peacekeeping operations,

Expressing deep concern at the serious deterioration in the security situation overall so far in 2014, and the profound negative impact of this on civilians, in particular women and children, including through continued clashes between Government forces and rebel armed groups, an escalation of inter-tribal fighting and other local clashes, including with the involvement of paramilitary units and tribal militias, and an increase in criminality and banditry, *further expressing deep concern* that such clashes, including attacks by rebel groups and Government forces and aerial bombardment by the Government of Sudan, inter-tribal fighting, banditry and criminality continue to threaten civilians, while welcoming a slight improvement in the security situation since May; and *reiterating its demand* that all

Please recycle

parties to the conflict in Darfur immediately end violence, including attacks on civilians, peacekeepers and humanitarian personnel,

Recalling its resolution 2117 (2013) and *expressing concern* at the threat to peace and security in Darfur arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, and the continued threats to civilians posed by unexploded ordnance,

Expressing deep concern at the significant increase in population displacements this year and the consequent increase in humanitarian assistance and protection needs, with an estimated 359,000 newly displaced since January this year, around 260,000 of whom have been unable to return to their homes, alongside more than 2 million long-term Internally Displaced Persons (IDPs),

Recalling the commitments made by the Government of Sudan and other signatories to the Doha Document for Peace in Darfur (DDPD) to ensure the unimpeded access of humanitarian assistance to the population in need and the protection of humanitarian workers and their operations in areas under their control, as well as to guarantee the AU-UN Hybrid Operation in Darfur (UNAMID) unimpeded freedom of movement in all areas and at all times in Darfur in the exercise of its mandate,

Further expressing concern that the suspension of operations or the withdrawal of some international humanitarian actors have left significant gaps in the delivery of humanitarian assistance, *calling on* the Government of Sudan to ensure humanitarian actors can operate in support of addressing basic needs, and *calling on* donors, the Darfur Regional Authority and the Government of Sudan to provide the financial resources necessary to reach those in need,

Reiterating that there can be no military solution to the conflict in Darfur, and that an inclusive political settlement is essential to re-establishing peace, and *underscoring* the importance of fully addressing the root causes of the conflict in the search for a sustainable peace, which should rapidly deliver real benefits for the Darfuri people, in this regard *reiterating* its support for the DDPD as a viable framework for the Darfur peace process, and for its accelerated implementation, and *noting* that this process and the national initiative for dialogue in Sudan could be complementary and mutually reinforcing processes,

Welcoming in this regard the announcement by President Bashir on 27 January of a national dialogue, *noting* that the modalities of such a dialogue should provide an opportunity to address the legitimate grievances of the people of Darfur, that the national dialogue has the potential to offer an opportunity to pave the way for lasting peace throughout Sudan, building on existing peace processes including the DDPD, *noting* the stated commitment of the Government of Sudan to an inclusive national dialogue, and *calling for* an enabling environment conducive to the national dialogue, which would constitute a key step towards achieving a credible, transparent, inclusive, nationally owned and Sudanese-led process; *further calling on* all parties to engage constructively with this process, urging all parties to refrain from any attempt to obstruct it, and *looking forward* to further developments towards the implementation of an inclusive dialogue process,

Deploring the fact that some armed groups have refused to join the peace process and are impeding the implementation of the DDPD, *reiterating* its demand for the release of members of the former movement of Mohamed Bashar, taken

captive in May 2013 by JEM-Gibril forces, and *condemning* any actions by any armed group aimed at forced overthrow of the Government of Sudan,

Noting in this regard that UNAMID's ability to facilitate progress in implementation of the DDPD is hampered by delays by the signatory parties and the absence of an inclusive political settlement between the government and non-signatory movements, *urging* the signatory parties to take the necessary remaining steps to implement the DDPD fully, *expressing concern* that the humanitarian and security situation, as well as lack of capacity of the Darfur Regional Authority, hinder the transition from relief to stabilization and development activities, *urging* donors and the Government of Sudan to honour their pledges and fulfil their obligations in a timely manner, including those commitments made at the conference in Doha in April 2013, *welcoming* the confirmation of the Government of Qatar of its pledge of USD88.5 million, and the transfer of USD10 million of this amount to the UN Darfur Fund in April, and *affirming* that development can support a lasting peace in Darfur,

Noting that local dispute resolution mechanisms play an important role in preventing and resolving inter-communal conflict, including conflict over natural resources, and *urging* an intensification of effective efforts to prevent local disputes leading to violence, with its corresponding impact on the local civilian populations, *acknowledging* the efforts of Sudanese authorities and local mediators to mediate in inter-tribal fighting, with support from UNAMID and the UN Country Team (UNCT), and *urging* their continued work,

Welcoming regional and other initiatives, undertaken in close interaction with the Government of Sudan, to address the root causes of the conflict in Darfur and to promote a sustainable peace, including the convening by the President of Chad, Idriss Deby Itno, of a second mediation forum in Um Jaras from 26 to 29 March 2014, and *encouraging* the full coordination of such initiatives with the efforts of the Joint Special Representative,

Underlining, without prejudice to the Security Council's primary responsibility for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union (AU), consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in Sudan,

Calling on all parties to comply with their obligations under international human rights law and international humanitarian law, *stressing* the importance that the Council attaches to ending impunity including through ensuring accountability and bringing to justice the perpetrators of crimes committed by all parties in Darfur, *urging* the Government of Sudan to comply with its obligations in this respect, *welcoming* the ongoing investigations by the Special Prosecutor for Darfur appointed by the Government of Sudan and *stressing* the need for further progress in this regard, *calling for* swift progress on the draft Memorandum of Understanding providing for UNAMID and African Union observation of the proceedings of the Special Court, and *calling on* the Government of Sudan swiftly to investigate attacks against UNAMID and to bring the perpetrators to justice,

Reaffirming its concern over the negative effect of ongoing violence in Darfur on the stability of Sudan as a whole as well as the region, *welcoming* the ongoing good relations between Sudan and Chad, including on border control, and

encouraging Sudan, Chad and the Central African Republic to continue to cooperate in order to achieve peace and stability in Darfur and the wider region,

Commending the efforts of UNAMID towards promoting peace and stability in Darfur, and *reiterating* its full support for UNAMID,

Welcoming the report of the Secretary-General of 22 July 2014 (S/2014/515) on UNAMID,

Welcoming the announcement by the Secretary-General on 2 July 2014 of a review, following recent serious allegations against UNAMID, *looking forward* to the swift and thorough implementation of this review and *stressing* the importance of prompt and effective action on the results of that review, if necessary,

Determining that the situation in Sudan constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of UNAMID, as set out in resolution 1769, for a further 10 months to 30 June 2015, in order to align the renewal cycle with the decision of the AU Peace and Security Council of 9 July 2014, *reiterates* its endorsement of UNAMID's revised strategic priorities as set out in paragraph 4 of resolution 2148 (2014) and *requests* that UNAMID continue to align all its activity and direct the use of its resources to the achievement of these priorities;

2. *Notes* that certain elements of UNAMID's mandate and tasks, as authorized in resolution 1769 (2007), which decided that the mandate of UNAMID shall be as set out in paragraphs 54 and 55 of the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007 (S/2007/307/Rev.1), are no longer relevant, namely those enumerated in paragraphs 54 (h), 55 (a) (v), 55 (b) (ii-iii), and 55 (b) (v) of that report;

3. *Commends* the efforts of the Joint Special Representative to revitalize the peace process and to increase its inclusiveness, guided by the Framework for AU and United Nations facilitation of the Darfur Peace Process, including through renewed engagement of the non-signatory movements, and *emphasizes* the importance of the Joint Special Representative's strengthened coordination with the AU High-level Implementation Panel and the United Nations Special Envoy for Sudan and South Sudan in synchronising their mediation efforts while taking into account ongoing transformation at the national level;

4. *Decides* that UNAMID shall consist of up to 15,845 military personnel, 1,583 police personnel and 13 formed police units of up to 140 personnel each;

5. *Welcomes* the steps taken so far by UNAMID to implement the review of UNAMID conducted pursuant to resolution 2113 (2014); *requests* continued swift and full implementation of the review, including the streamlining of all UNAMID's components and aligning of activities to support achievement of its strategic priorities, and the discontinuing of all other tasks not aligned to the Mission's strategic priorities; *stresses* the importance of the appropriate distribution of tasks and coordination between UNAMID and the UNCT in order to implement the review of UNAMID; and *requests* a detailed update on the streamlining of the civilian component by 15 September 2014;

6. *Urges* the Secretary-General and the AU to expedite the appointment of personnel for UNAMID leadership vacancies;

7. *Requests* the Secretary-General, in close consultation with the AU, and seeking perspectives from all relevant parties, to conduct an analysis of implementation of the review of UNAMID, including specific achievements reached under the revised strategic priorities, progress in addressing the challenges facing the Mission, as identified by the review, any significant developments in the situation in Darfur and their impact on UNAMID's mandate and tasks, and an analysis of those tasks that remain relevant and on the fulfilment of which the UNCT has comparative advantage, with a road map to transfer those tasks to the fullest extent possible to the UNCT, taking into account the contributions of donors and other relevant actors; *requests* that he present this analysis, together with recommendations for the future mandate, composition, configuration and exit strategy of UNAMID, as well as for its relationship with other UN actors in Darfur and Sudan, by 28 February 2015; and *expresses its intention* to take decisions accordingly on the future of UNAMID and to make necessary changes fully and promptly following presentation of the Secretary-General's analysis and recommendations;

8. *Underlines* that UNAMID should continue to give priority in decisions about the use of available capacity and resources to: (a) the protection of civilians across Darfur, including women and children, through, and without prejudice to the agreed basic principles of peacekeeping, inter alia, continuing to move to a more preventive and pre-emptive posture in pursuit of its priorities and in active defence of its mandate; enhanced early warning; proactive military deployment and active and effective patrolling in areas at high risk of conflict and high concentration of IDPs; more prompt and effective responses to threats of violence against civilians, including through regular reviews of the geographic deployment of UNAMID's force; securing IDP camps, adjacent areas and areas of return, including development and training of community policing; and (b) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and activities, in accordance with relevant provisions of international law and the UN guiding principles of humanitarian assistance; and *requests* UNAMID to maximize the use of its capabilities, in cooperation with the UNCT and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives;

9. *Emphasizes* UNAMID's Chapter VII mandate, as defined in resolution 1769, to deliver its core tasks to protect civilians without prejudice to the primary responsibility of the Government of Sudan and to ensure the freedom of movement and security of UNAMID's own personnel and humanitarian workers; *recalls* that UNAMID is authorized to take all the necessary action in fulfilment of this mandate; and *urges* UNAMID to deter any threats against itself and its mandate;

10. *Welcomes* that some progress has been made in implementation of some elements of the DDPD, including steps towards the verification and integration of Liberation and Justice Movement and Justice and Equality Movement-Sudan combatants under the DDPD security arrangements, but *deplores* continuing serious delays in overall implementation of the DDPD; *urges* the signatory parties to implement the DDPD in full, including by ensuring that the institutions established under it are resourced and empowered to carry out their mandates; *welcomes* in this regard the inauguration on 15 June 2014 of the Justice, Truth and Reconciliation Commission, and *stresses* the importance of its effective work; *demands* that the non-signatory armed groups refrain from impeding the implementation of the

DDPD; and *encourages* UNAMID, in accordance with its revised strategic priorities, and the UNCT to continue to engage fully in support of implementation of the DDPD;

11. *Demands* that all parties to the conflict in Darfur, including in particular all the non-signatory armed groups, and other groups immediately cease all acts of violence, and commit themselves to a sustained and permanent ceasefire, in order to bring a stable and durable peace to the region;

12. *Reaffirms* its support for a Darfur-based internal dialogue that takes place in an environment of full respect for the civil and political rights of participants, including the full and effective participation of women; *welcomes* the launch of the Implementation Committee of the Darfur Internal Dialogue and Consultation (DIDC) on 26 May; *expresses concern* that prevailing insecurity, lack of adequate funding, and intimidation of participants could undermine effective implementation of the DIDC; *calls on* the Government of Sudan and the armed groups to ensure the necessary enabling environment; and *requests* UNAMID to continue to support, monitor and report on the development of the DIDC and the overall environment for it;

13. *Calls for* an urgent end to inter-tribal clashes, criminality and banditry that affect civilians, and further *calls for* reconciliation and dialogue; *expresses deep concern* over the proliferation of arms, in particular small arms and light weapons; *requests* UNAMID to continue to support local conflict resolution mechanisms, including with civil society mechanisms, and to continue to cooperate in this context with the Panel of Experts established by resolution 1591 (2005) in order to facilitate their work;

14. *Commends* UNAMID troop- and police-contributing countries; *welcomes* that some progress has been made in addressing contingent-owned equipment and self-sustainment shortfalls, but *expresses concern* that significant shortfalls remain; and *calls for* continued efforts by UNAMID, the Secretariat and troop- and police-contributing countries to address such shortfalls, including by providing appropriate training and resources to fulfil priority protection functions, especially in areas necessary for contingents' temporary deployment capability and ability to conduct long-range patrols;

15. *Strongly condemns* all attacks on UNAMID, while noting the significant decline in fatal attacks on UNAMID since August 2013; *underlines* that any attack or threat of attack on UNAMID is unacceptable; *demands* that there be no recurrence of such attacks and that those responsible be held to account following prompt and thorough investigation; *urges* UNAMID to take all necessary measures within its rules of engagement to protect UN personnel and equipment; *condemns* the ongoing impunity for those who attack peacekeepers, and in this regard *urges* the Government of Sudan to do its utmost to bring all perpetrators of any such crimes to justice and to cooperate with UNAMID to this end;

16. *Welcomes* the improved cooperation between UNAMID and the Government of Sudan, and a sustained and more effective approach by UNAMID, which have resulted in improvements in mandate implementation, including through the more timely issuance of visas and a considerable recent reduction of movement restrictions on UNAMID; *reiterates* its deep concern that hindrances nevertheless remain to UNAMID in the implementation of its mandate, including movement and

access restrictions, caused by insecurity, acts of criminality and movement restrictions by Government forces, armed movements and militia groups; *calls on* all parties in Darfur to remove all obstacles to UNAMID's full and proper discharge of its mandate, including by ensuring its security and freedom of movement; and in this regard, *demands* that the Government of Sudan comply with the Status of Forces Agreement fully and without delay, particularly provisions relevant to the movement of patrols in conflict-affected areas and flight clearances, building on the recent improvement in these areas, as well as those provisions relevant to the removal of obstacles to the use of UNAMID aerial assets, and the timely processing of UNAMID's equipment at the port of entry to Sudan;

17. *Demands* that all parties in Darfur immediately end attacks targeting civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; and *affirms* the Council's condemnation of all violations of international humanitarian law and violations and abuses of human rights;

18. *Expresses serious concern* at the deteriorating humanitarian situation in Darfur, and at the threats to and attacks on humanitarian personnel and facilities; *welcomes* that, despite multiple challenges, humanitarian access improved in the months of April and May compared to the first quarter of 2014, including progress in accessing part of the Jebel Marra area through the recent inter-agency mission to Guldo; *expresses concern* that access to some conflict areas where vulnerable populations reside remains restricted and that some conflict areas are inaccessible, including in North and Central Darfur and eastern Jebel Marra, due to insecurity, acts of criminality and movement restrictions by Government forces, armed movements and militia groups; *welcomes* that humanitarian organizations are able to deliver some aid to most people in need of assistance in Darfur; *deplores* the continued restrictions on humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict and bureaucratic impediments imposed by the Government of Sudan; *further expresses concern* over the insufficient availability of funding for humanitarian actors; *stresses* the need for the timely issuance of visas and travel permits for humanitarian organizations; and *demands* that the Government of Sudan, all militias, armed groups and all other stakeholders ensure the safe, timely and unhindered access of humanitarian organizations and relief personnel, and the delivery of humanitarian assistance to populations in need, in accordance with the relevant provisions of international law and United Nations guiding principles of humanitarian assistance, including humanity, impartiality, neutrality and independence;

19. *Condemns* increased human rights violations and abuses in, and relating to, Darfur, including those involving extrajudicial killings, the excessive use of force, abduction of civilians, acts of sexual- and gender-based violence, violations and abuses against children, and arbitrary arrests and detentions; *expresses deep concern* about the situation of all those so detained, including civil society members and IDPs; *emphasizes* the importance of ensuring, within its current mandate, UNAMID's and other relevant organizations' ability to monitor such cases; and in this regard *urges* the Government of Sudan to extend even greater cooperation with UNAMID towards fulfilment of this goal and to provide accountability and access to justice for victims; *calls on* the Government of Sudan fully to respect its

obligations, including by fulfilling its commitment to lift the state of emergency in Darfur, releasing all political prisoners and allowing free expression;

20. *Requests* UNAMID to continue to implement the Human Rights Due Diligence Policy, and to monitor, verify, and draw to the attention of the authorities abuses and violations of human rights, including those committed against women and children, and violations of international humanitarian law, and further *requests* enhanced, detailed, full and public reporting by the Secretary-General to the Council on this issue, as part of his regular 90-day reports;

21. *Urges* close coordination among UN missions in the region, including UNAMID, the United Nations Interim Security Force for Abyei (UNISFA) and the United Nations Mission in South Sudan (UNMISS), and *requests* the Secretary-General to ensure effective inter-mission cooperation;

22. *Emphasizes* the importance of cooperation and information-sharing between UNAMID, UNMISS, MONUSCO, MINUSCA and relevant regional and international partners in addressing the regional threat including of the Lord's Resistance Army, and *recalls* its encouragement to UNAMID, within existing capacities and consistent with its mandate, to cooperate and share information in this regard;

23. *Stresses* the importance of achieving dignified and durable solutions for refugees and internally displaced persons, and of ensuring their full participation in the planning and management of these solutions; *demands* that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, informed, safe, dignified and sustainable return of refugees and internally displaced persons, or, where appropriate, their local integration; *calls* in this regard for the reactivation of the Joint Verification Mechanism in order to verify the extent to which these returns are voluntary and informed in nature, and *underlines* the importance of addressing land issues for the realization of durable solutions in Darfur;

24. *Demands* that the parties to the conflict immediately cease all acts of sexual and gender-based violence; further demands that the parties to the conflict make and implement specific and time-bound commitments to combat sexual violence, in accordance with resolution 2106 (2013); *requests* UNAMID to report on sexual and gender-based violence and actions taken to combat it, including through the timely appointment of Women Protection Advisers; *requests* the Secretary-General to ensure that the relevant provisions of resolution 1325 (2000), and subsequent resolutions on women, peace and security, are implemented, including supporting the full and effective participation of women during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including women's civil society organizations, and to include information on this in his reporting to the Council;

25. *Demands* that the parties to the conflict immediately cease all violations and abuses against children, and develop and implement concrete and time-bound action plans to end and prevent the recruitment and use of children in violation of applicable international law, and *requests* the Secretary-General to ensure: (a) continued monitoring and reporting of the situation of children in Darfur; and (b) continued dialogue with the parties to the conflict towards the development and

implementation of the aforementioned action plans, in accordance with resolution 1612 (2005) and subsequent resolutions on children and armed conflict;

26. *Requests* the Secretary-General to report to the Council every 90 days following adoption of this resolution on UNAMID, including: information on the political, humanitarian and security situation in Darfur, including detailed reporting on incidents of violence and attacks against civilians, by whomsoever perpetrated; information on violations of the Status of Forces Agreement, as well as violations of international humanitarian law perpetrated by any party to the conflict; developments and progress towards achievement of UNAMID's strategic priorities and benchmarks; developments and progress in addressing the challenges facing UNAMID as identified in the review of UNAMID; and on the implementation of this resolution;

27. *Decides* to remain seized of the matter.